



**MINUTES
CITY COUNCIL MEETING
May 7, 2019**

CALL TO ORDER

The meeting was called to order at 6:30 pm.

Present: Mayor: Charlie Miner; Council: Deirdre Kvale, Michelle Jerde, Jahn Dyvik, and Tom Skjaret

Staff Present: City Administrator: Scott Weske; Planning Consultant: PeggySue Imihy; Public Works Director: Sean Diercks; and City Clerk: Jeanette Moeller

Absent: None

PLEDGE OF ALLEGIANCE

MAYOR'S COMMENTS - LONG LAKE NEWS, MEETING REVIEW AND UPDATES

Mayor Miner offered the following comments and updates:

Wayzata Boulevard W project contractors are on-site and currently working on construction of a retaining wall in the vicinity of Old Long Lake Road.

Mayor Miner, along with a few other City officials, had attended the Long Lake Waters Association's (LLWA) April 25 educational summit, which included great presentations by the LLWA and by experts on invasive species.

APPROVE AGENDA

A motion was made by Dyvik, seconded by Jerde, to approve the Agenda as presented. Ayes: all.

CONSENT AGENDA

The Consent Agenda consisted of:

- A. Approve Minutes of April 16, 2019 City Council Meeting
- B. Approve Vendor Claims and Payroll
- C. Approve and Ratify the EDA's Action to Direct Staff to Pursue Site Cleanup and the Demolition of the Building Located at 1905 Wayzata Boulevard W

Regarding Item B, Approve Vendor Claims and Payroll, Council member Kvale sought clarification on whether payments made to WSB were from escrow amounts. Weske explained that while the overview list of claims to be paid references "escrow" to provide a short description, check detail is included in Council packets as well and would show that payments made to WSB are allocated to both budget line items for operational expenses and to project escrows deposited. He also confirmed that WSB submits their invoicing including a full packet with a detail report, similar to the City Attorney's invoicing which also provides line item detail. Weske further explained that the WSB line item referencing carp management is paid through the City based upon the City's role as administrator of the Long Lake Subwatershed Partnership fund for the carp management project.

Council member Kvale asked about the payment to Metropolitan Council in the amount of over \$27,000. City Clerk Moeller clarified that the amount represented SAC unit charges collected at time of building permit issuance for the Carbone's project, and is a pass-through collected by the City for submission to Metropolitan Council.

A motion was made by Dyvik, seconded by Skjaret, to approve the Consent Agenda as presented.

Council member Dyvik acknowledged City Clerk Moeller for her work in preparing the minutes of the Council's April 16 meeting.

Ayes: all.

OPEN CORRESPONDENCE

Brian Bourassa, WSB – Mr. Bourassa introduced himself as Principal of the firm WSB, extended his greetings to familiar faces and newly elected officials, and indicated one of his jobs is to make sure WSB's service meets the City's expectations. He thanked the Council for allowing him to observe, and noted he would provide some business cards to the City Clerk should any Council members need to reach him.

BUSINESS ITEMS

Police Activity Update From Wayzata Police Chief Mike Risvold

Police Chief Risvold provided a presentation highlighting:

A review of Police activity statistics for the period of 2013 through 2018, including heinous Part 1 crimes and gross misdemeanor Part 2 crimes. The number of incidents for 2018 increased substantially over the previous year largely due to a significant increase in citations issued, particularly in and around the Wayzata Boulevard W construction zone. He observed that typically if Police maintain regular presence in an area, the number of citations reduces; however, they have found this not to be true in the construction zone. Outside of citations, he reported that Police activity statistics by category remain close in number to the previous year's activities; however, over the six year period displayed, the total number of Police activities has steadily climbed.

In response to a question by Council member Dyvik regarding the relationship between a reduced number of accidents and an increase in citations issued, Police Chief Risvold offered to provide Council members with additional data regarding the locations of the accidents that took place in 2018. Mayor Miner noted his interest in seeing whether the data showed that particular intersections experience higher accident rates.

Responding to Council member Kvale's questions regarding response to medicals, Police Chief Risvold explained the Police Department's role in responding to medical calls along with North Memorial ambulance as well as the Long Lake Fire Department in a secondary role; and noted that they respond to medical calls at assisted and group living communities, at residential complexes, and at single family homes.

He reported on trends in alcohol compliance check failures, DWI arrests and violent crimes, and provided clarification that the process for DWI arrests begins with a focus on observation of drivers. Council and Chief Risvold discussed ride services available and how services such as Uber and Lyft have contributed to there being less people driving drunk.

Chief Risvold stated that while traffic related activities had increased in Long Lake, Wayzata's traffic activities had actually reduced in number over the previous year. He noted that he can see Wayzata Boulevard W taking shape and the road will provide for a nice entrance to the City once complete. The Wayzata Police Department will continue to maintain a presence in the construction zone. He added that he does not believe a lot of locals have been pulled for speeding, and that the majority of speeding traffic being stopped are individuals passing through.

Council and Chief Risvold discussed the effect of posting crosswalk signs in the middle of the roadway to call attention to pedestrian crossings. Chief Risvold indicated Wayzata has experienced such signage to visually tighten lanes down and have a traffic calming effect, noting that they prefer the signs that have a "yield" symbol in them rather than a "stop" to represent that traffic must yield to pedestrians. He recommended employing the signs only in conjunction with painted crosswalks, and planning to order more signs than needed as signage may need regular replacement when driven over.

Chief Risvold recalled that the Police services contract was extended in 2018 for service now through 2028; reported on retirements and personnel changes within the Wayzata Police Department; introduced new officer Jason Gehrman, in attendance at the meeting; commented on his ongoing support of the Highway 12 Safety Coalition group and their continued efforts to improve safety within the corridor; stated that six lifesaving awards had been presented in 2018 recognizing officers, firefighters and civilians who helped to save a life; reported on the outcome of the Metropolitan stalking case involving a Long Lake resident and her witnesses/neighbors who provided assistance; discussed a significant forgery case out of Lake Community Bank that had been resolved; and emphasized that "if you see something, say something", noting people should be encouraged to feel comfortable calling 911 to report any questionable or suspicious activity.

Mayor Miner shared that during his campaign, a lot of residents had spoken highly of Wayzata Police and the Department's interaction/presence within the community. He noted he looks forward to the relationship continuing. He also invited Chief Risvold to highlight the upcoming memorial commemoration ceremony.

Chief Risvold reported that on Monday, May 13 at 10:00 am, the City of Wayzata will unveil its new Police Memorial, with participation by law enforcement around the area. A task force and Council action had led to development of a really nice Memorial project.

Consider Removal of Downtown Village Boundary Area Line From 2040 Comprehensive Plan Land Use Map

Planning Consultant Imihy introduced the agenda item, and credited City Clerk Moeller for her assistance in preparing the staff report and overview for discussion.

Imihy indicated that after the last meeting, a Council member had raised the question of whether it would be possible to move the Downtown Village Boundary Area Line away from the lakeshore low density residential parcels thereby removing the requirement that the lakeshore single family residences would have to rezone to PUD for any redevelopment. Staff gave this consideration and ultimately would encourage the Council to consider whether the boundary line needs to exist. The intent of the line would seem to have been to foster development through PUD throughout the downtown; however, there are other ways to encourage mixed use development, and the role of PUD is generally more to allow for development with flexibility through rezoning versus holding development to the standards of a different zoning classification.

Moeller explained that staff had reviewed previous Comprehensive Plan documents and learned that the Downtown Village Boundary Area Line was first included in the 2030 Comprehensive Plan,

drafted in 2008. The idea of the line and the requirement for properties to rezone to PUD would appear to have been reflective of the Downtown Master Plan and Design Guidelines prepared for the City in 2001 by Hoisington Koegler; however, when the 2030 Comprehensive Plan was being drafted in 2008, the Downtown Master Plan was already 7 years old. Since that time, the Downtown Master Plan and Design Guidelines document has been replaced by the more current Long Lake Village Design Guidelines adopted in June 2018.

Imihy pointed out that the area identified as "Downtown Village Mixed Use" within the Comprehensive Plan would be unchanged and would not be impacted by removal of the boundary line. She clarified that removal of the line would eliminate the stressor of requiring all development to rezone to PUD, and noted that in preparation for discussion on the upcoming amended PUD ordinance, it would be helpful to arrive at a conclusion regarding moving or removing the Downtown Village Boundary Line as a first step.

A motion was made by Dyvik, seconded by Kvale, to remove the Downtown Village Boundary Area Line from the 2040 Comprehensive Plan Land Use Map in preparation for Comprehensive Plan submission to Metropolitan Council.

Council member Dyvik recognized Imihy and Moeller for providing a solution that listed to Council feedback and would make sense for the City. He also noted that the background report provided to Council members regarding this proposal had mentioned that the text of the 2030 Comprehensive Plan had included comment calling attention to the area of single family residences within the Downtown Village Boundary Line, and indicated the area of single family homes may warrant revisiting in the next Comprehensive Plan. The action being considered tonight would address this issue.

Ayes: all.

Planning Case #2019-06 / Ordinance Amending Section 5: Planned Unit Development (PUD) District of the City of Long Lake Zoning Ordinance (Continued)

Imihy noted that with the removal of the Downtown Village Boundary Area Line, staff would recommend discussion be focused on draft Ordinance No. 2019-02 Options B and C. Moeller clarified that if discussion centered around Option B, Council action to adopt the ordinance would need to include direction to update any references to the line to refer instead to the Downtown Village Mixed Use guided area.

Imihy indicated that the ordinance revisions prepared by staff were intended to follow Council direction and to make significant changes around single family homes. Option B was drafted to be specific to Council direction given at the April 16 meeting, and Option C was prepared to account for removal of the Downtown Village Boundary Area Line. Both options include adding setbacks for single family PUD's. Option B would permit single family attached and detached dwellings as a conditional use in the Downtown Village Mixed Use area, and Option C would not do so.

A motion was made by Skjaret, seconded by Jerde, to adopt Ordinance No. 2019-02, Option C, to amend Section 5: Planned Unit Development (PUD) District of the City of Long Lake Zoning Ordinance.

Imihy noted that her intent for Option C was that no project would be forced to rezone to PUD, and added that a motion to adopt Option C should include direction to change the Applicability under Subd. 2 to remove statements requiring PUD, for replacement with text stating that rezoning to PUD is optional.

Council member Kvale pointed out that Option C also does not permit single family detached or attached dwellings in the Downtown Village Mixed Use guided area, and voiced her support for changing Option C to permit single family dwellings as conditional uses in that area.

Council members further debated whether to permit single family dwellings as a conditional use in the Downtown Village Mixed Use Area. Council member Kvale indicated she would prefer to review any language changes prior to adopting an ordinance. Staff noted that they would encourage Council to consider adopting the ordinance with specific direction given to staff, as there are currently land use applicants unable to make their applications for their projects to move forward while adoption of the PUD ordinance remains pending.

Council member Skjaret added that he would not be comfortable delaying action any longer, and stated he had confidence staff would make the appropriate changes requested by Council.

Mayor Miner understood that revisions being considered would include removing most of the text of Subd. 2, Applicability, for replacement with language stating a PUD rezoning is optional.

Council member Skjaret amended his earlier motion.

A motion was made by Skjaret to adopt Ordinance No. 2019-02, Option C, to amend Section 5: Planned Unit Development (PUD) District of the City of Long Lake Zoning Ordinance and direct staff to publish a summary ordinance, with the following revisions to the ordinance:

Subd. 2, Applicability, be amended to remove content requiring PUD rezoning, with content instead to state PUD is an optional land use; and

Permit single family dwellings, detached and attached, as a conditional use within the Downtown Village Mixed Use guided area.

Council member Dyvik pointed out that the side yard setbacks for single family PUD's included a side yard setback for properties in a PUD abutting a property outside the PUD to have a minimum 10 foot side yard setback, and questioned whether this should be included in the multiple family and townhomes lot standards as well.

Staff noted that Council could update their direction to amend the ordinance further to include that change as well, should Council wish to do so. Imihy added that while the change could be made, she believed it would be very unlikely a plan would be proposed for development of multiple family or townhome residences would not account for maintaining the façade of the building, and a zero side yard setback would not be proposed in all likelihood.

Council member Skjaret commented that buildings code for things such as exhaust vents and rooflines would likely require that project designs be set back from lot lines to meet code requirements. He would not support amending his motion to include providing direction to staff to make any setback related changes.

The motion was seconded by Jerde. Ayes: all.

Mayor Miner thanked Imihy for helping the Council work through the matter, and also questioned how the Council's action at the meeting would impact Comprehensive Plan submission.

Imihy thanked the Council for their time working through the ordinance. Staff will follow up with WSB to have the Downtown Village Boundary Area Line removed from the 2040 Comprehensive Plan

Land Use Map, and then will submit the Comprehensive Plan package to Metropolitan Council. They can be expected to take 15 days to review the submission, and then will submit their comments. She noted she has maintained ongoing conversation with the Metropolitan Council sector representative, and he has been pretty understanding that the deadline extension may not provide for enough time for revisions to the plan to be completed by the deadline. Once comment is received, she indicated she and WSB will be happy to assist the City in updating its Plan to satisfy Metropolitan Council comment.

Consider Proposal From WSB for Construction Administration and Field Inspection of Wayzata Boulevard W Phase 1 Landscaping Project (Alex Miller, City Engineer/WSB)

Consultant City Engineer Alex Miller, WSB, introduced herself to the Council and shared her background in civil engineering experience during her employment at WSB.

Miller reported that the City had previously awarded the Wayzata Boulevard Phase 1 Landscaping construction contract to firm Hoffman & McNamara, and the firm is now preparing to start construction. As part of the Construction Cooperative Agreement; Hennepin County at its expense, developed the construction plans, specifications, and original proposal for the above referenced landscaping plan. The cooperative agreement states that the City of Long Lake is responsible to bid and administer the contract for the landscaping project, and the project is required to be completed in compliance with MnDOT State Aid requirements. Because of the requirements of MnDOT State Aid, most tasks related to contract administration are not eligible to be completed by City staff and therefore, WSB has provided a proposal for the Council's consideration. Miller referenced the proposal included in Council member meeting packets which provides a detailed estimate breakdown.

Council member Dyvik commented that the proposal submitted by WSB represents a vast improvement over the proposal previously submitted by SRF. He clarified that meeting State Aid requirements is necessary for project cost reimbursement. He also called to Miller's attention that there will be a number of changes that will need to take place in the field as the project is underway.

Miller confirmed that the proposal by WSB was intended to reflect what portion of the construction administration could be taken on by City staff versus what must be completed by a certified landscape specialist. She noted that the landscaping specialist is familiar with the method and forms required by MnDOT for making field changes as needed, stated that the individual who had assisted her in drafting the proposal would likely be doing a large portion of the construction administration work, and added that check-ins and warranty reviews are accounted for in the proposal.

A motion was made by Skjaret, seconded by Dyvik, to award a contract for Construction Administration and Field Inspection Services to WSB in the amount of \$9,736.00 for the Wayzata Boulevard W Phase 1 Landscaping project. Ayes: all.

Wayzata Boulevard W Construction and Landscaping Project Updates

Public Works Director Diercks advised that Wayzata Boulevard W construction work is underway with crews working on realigning the intersection of Old Long Lake Road, and intermittent concrete pours have been taking place from Birch's heading east through the corridor. Diercks stated he had also initiated permit processes towards installing flashing pedestrian crossing signs at designated crossings, and he would hope the County will grant their approval to that end.

Mayor Miner had spoken with Hennepin County Commissioner Callison at a recent Lake Minnetonka area Mayors Meeting to express the City's concern about the need for crossing signals, and she had indicated she would be directing her staff to look into the matter as well. He noted that while the

signals should have been included in the County project scope in the first place, it may come down to the City.

Diercks added that the contractor is anticipating the area of refuge at Heather Lane to be complete by July 4, and Wurzer Trail work will also be underway soon.

Diercks also explained that the trees included in the project landscape plan for the berm area will be unable to be installed due to utilities present in the area. He has been in negotiations with Peter Hoffman, project manager for Hoffman & McNamara, to discuss credits for trees that will be unable to be planted and to secure higher caliper size trees for the downtown area. The idea was also mentioned that some of the credit for not planting the trees could potentially be allocated to trimming some of the existing material by the sound wall. Last summer, Diercks had asked MnDOT when they would be undertaking trimming, and MnDOT had essentially responded that the City would be welcome to clean up what they wanted to. Council and staff discussed the condition of the MnDOT sound barrier and retaining walls, noting that repairs need to be made by MnDOT.

On other Public Works notes, staff will be interviewing four candidates on Wednesday for the full-time Public Works Maintenance Worker position. Council member Jerde shared that she'd observed youth playing in the GaGa Pit in Dexter Park already.

Council member Dyvik indicated that the CR 112 Landscaping Subcommittee had met the prior week to discuss the tree situation. Other topics included an update that hanging flower baskets are scheduled to arrive May 21; and a review of updated banner designs. The Subcommittee members agreed upon changes to the design, and his goal would be to work towards banners being printing by May 20 if possible. Weske noted that once designs are complete, he will need designs submitted digitally in order to obtain printing estimates.

OTHER BUSINESS

Online Utility Bill Pay Update – Council member Kvale sought an update on implementation of online utility bill pay. Weske indicated that online bill pay is moving forward. Moeller added that the vendor estimates that it can take up to four to six weeks from contract signing to implementation, but staff have already begun training to prepare for system launch.

Appreciation to Staff – Council member Jerde and Council member Dyvik thanked Planning Consultant Imihy and City Clerk Moeller for their work through the PUD Ordinance project and assisting the Council through the challenging process.

Bus Stop Benches – Council member Dyvik questioned who owns the advertising bus stop benches. Weske confirmed they are not City owned, and stated he believes they're under the purview of Metropolitan Council.

Removal of Trees in Lake – Council member Dyvik commented that when the lake level was recently high, he had observed trees that had fallen into the lake which were floating along the shore. He thanked Public Works for removing several of them, and after conversation with Diercks, he had confirmed Public Works would be willing to assist in the removal of trees if boaters are able to safely pull them to Nelson Lakeside Park.

Update on Former BP Station Demolition – Council member Dyvik asked whether an update was available regarding the demolition of the former BP station. Weske replied that Council ratification of the EDA's action had just taken place at the meeting; but in the meantime, staff has been in regular contact with the contractor to begin preparations for the demolition project.

Long Lake Rowing Crew Update – Council member Dyvik reported that the Long Lake Rowing Crew is asking the City of Orono to allow them to put either a building structure or rack structures at Summit Beach. Though Long Lake limited the number of racks at their current site, the LLRC is looking to accommodate more boats.

Carp Boat Invitation by WSB – Imihy thanked the Council for their patience during the PUD ordinance discussion. She also noted that if Council members are interested in learning more about the Long Lake carp management project being undertaken with the assistance of WSB, she would be able to set up a time to take out the WSB carp boat for a tour and presentation. She invited Council members to contact her with their interest.

Appreciation to Council – Moeller thanked Mayor and City Council members for their patience through the PUD ordinance update process, and added that staff is excited to see the project come to fruition with land use applications likely to immediately follow.

ADJOURN

Hearing no objection, Mayor Miner adjourned the meeting by general consent at 8:31 pm.

Respectfully submitted,

Jeanette Moeller
City Clerk